

### **REMARKS**

The present application has been carefully studied and amended in view of the outstanding Office Action dated April 20, 2004, and reconsideration of the rejection of claims 1-8 is respectfully requested in view of the following comments.

Applicant respectfully submits that claims 1-8 as amended are directed to patentable subject matter in that these claims are not anticipated or rendered obvious by the prior art taken alone or in combination with one another. Specifically, the invention recited in claims 1-8 is not rendered obvious by the combination of Burns et al US 4,207,918 ("Burns") and Pendergraft et al US 5,112,661 ("Pendergraft"), for the following reasons.

Fundamentally, the pipe valve insulation cover of the present invention is simple in construction, but functions in a highly desirable manner to releasably secure and surround insulation adjacent a valve such as a gate or ball valve, for example. All of the claims define a flexible planar and generally rectangular imperforate sheet having opposite long and short side edge portions. The imperforate nature of the sheet has particular use in cold, chilled and dual temperature pipe since it functions to substantially reduce condensation when compared to the constructions of the prior art.

Elastic gathering structure is connected to each of the short side edge portions of the sheet so that such side edge portions tightly engage pipe insulation when the sheet is wrapped around that insulation. The elastic gathering structure also functions to reduce the tendency of condensation particularly in applications involving cold, chilled and dual temperature pipe. Additionally, releasable fastening structure is connected along each of the long side edge portions of the flexible sheet so that these long side

edge portions are releasably connected together along their length after wrapping the sheet around pipe valve insulation. Here again, the fastening structure along the long side edge portions functions to secure the insulation cover in place and also to prevent condensation.

Burns discloses an insulation jacket which is significantly different from the structure defined in claims 1-8 in that the jacket 10 is cumbersome in construction and use. The bulkiness of the jacket does not allow for use in tight confined areas such as fan coil units and ventilators. It is significant that the jacket of Burns includes weep holes 15 which function to permit fluid which is leaked from the line to visibly drain out of the jacket. Also, the jacket has a slotted top, and the weep hole and slotted top allow air to enter and condensation to form particularly with cold, chilled or dual temperature pipe. The present invention does not allow such infiltration of air in that the valve insulation cover is imperforate and without any such openings.


Equally significant is the fact that the jacket of Burns does not include elastic gathering structure along the short side edge portions of the jacket. Also, the straps 34 of Burns are spaced significantly inwardly of the long side edge portions of the jacket. As shown best in Figure 1 of Burns, there is no elastic gathering or releasable fastening structure along the short and long side edge portions of the jacket.

The Pendergraft reference is actually related to a different field in that the jacket is mounted on the injection heater barrel of an injection molding machine that operates to handle high temperature molded plastic for forming the plastic into molded parts. Accordingly, as in the case of Burns, there is no particular concern of condensation that occurs in cold, chilled or dual temperature pipe. Pendergraft does not cure the above

described shortcomings of Burns. Specifically, there is no mention of elastic gathering structure or any reasonable equivalent thereof. Overall the construction of the jacket assembly of Pendergraft comprises multiple pieces requiring significant manipulation when positioned around the injection heater and also when removal from the heater is desired. In this regard both Burns and Pendergraft are in contrast to the relatively simple insulation cover defined in claims 1-8 of the present application. As in the case of Burns, the overall bulkiness of the cover does not enable use in tight confined areas. Moreover, there is no suggestion or contemplation that the jackets of Pendergraft and Burns could be used for such applications.

Accordingly, for the reasons discussed above, it is believed that the invention recited in claims 1-8 distinguishes over the prior art, particularly the combination of Burns and Pendergraft. These claims define patentable subject matter and notice to that effect is respectfully requested.

Respectfully submitted,

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